

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION

U.S. DISTRICT COURT  
N.D. OF ALABAMA

LEROY BACCHUS, )  
 )  
Petitioner, )  
 )  
vs. ) CIVIL ACTION NO. 04-RBP-RRA-1721-M  
 )  
JOHN ASHCROFT, et al, )  
 )  
Respondents. )

**MEMORANDUM OF OPINION**

The court has considered the entire file in this action, together with the Magistrate Judge's Report and Recommendation, and has reached an independent conclusion that the Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed as moot. An appropriate order will be entered.

DONE, this 3<sup>rd</sup> day of December, 2004.

  
ROBERT B. PROPST  
SENIOR UNITED STATES DISTRICT JUDGE